GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

TRIBAL WELFARE DEPARTMENT – LTR – Revision Petition filed under the provisions of A.P.S.A.L.T.R.,1959 by Smt Kasani Parvathi, W/o.Late Bathula Nookaraju, R/o.Rampachodavaram (V) & (M), East Godavari District against the orders of the Additional Agent to Government, Rampachodavaram in C.M.A.No.146 of 2008, dt.10.03.2018 for the village site building D.No.4-59A of Rampachodavaram East Godavari - Allowed in part - Orders – issued.

SOCIAL WELFARE (TW.LTR) DEPARTMENT

G.O.MS.No. 52 **Dated: 10-07-2020.**
Read the following:-

1. Revision Petition filed by Smt Kasani Parvathi, W/o.Late Bathula Nookaraju, R/o.Rampachodavaram (V&M), East Godavari District dt.16.08.2018.
2. Govt.Lr.No.15026/14/TW.LTR-2/2018, dt. 11.09.2018, 27.09.2019.

ORDER:

In the reference 1st read above, Smt Kasani Parvathi, W/o.Late Bathula Nookaraju, R/o.Rampachodavaram (V) & (M), East Godavari District has filed a Revision Petition before the Government against the orders of the Additional Agent to Government, Rampachodavaram, East Godavari District in C.M.A.No.146 of 2008, dt.10.03.2018 for the village site building D.No.4-59A of Rampachodavaram, East Godavari District.

2. In the reference 2nd read above, the petitioner was called for the hearing along with the written arguments and record. The case has been heard on 06.10.2018 and finally heard on 19.10.2019. During the course of hearing of the case that the revision Petitioner submitted her arguments as per grounds in Revision Petition and on verification of documents and the grounds of revision and Para wise remarks as well as the other documents and material available on the record it is noticed that the lower primary authority ordered for ejectment and on appeal the same is set-aside.

3. The contention of the revision petitioner is that the possession and enjoyment of the property before 14.08.1917 and there is no prohibitory transaction and further that her predecessors in possession prior to regulations as such the order of the lower authority not sustainable and prays to allow the revision. The said factum needs a fresh enquiry in view of the fact of possession prior to the enactment of the regulations and the revenue record and as such it is fit case to remand the matter for fresh enquiry by giving an opportunity to the revision petitioner to prove her case as per law. Considering the above material that in the considered opinion, the orders of the lower authorities cannot be sustained and the matter shall be remanded to the primary authority for enquiry afresh for a decision according to law by issuing notices to all parties concerned.

4. In the result the revision petition is allowed in part by setting aside the orders of the primary authority and appellant authority and the matter is remanded to the primary authority for enquiry afresh by giving opportunity to all the parties concerned with a direction to disposed of the matter within a period of six months from the date of receipt of this order as per law independently uninfluenced by the observation made therein above or by the Additional Agent pending disposal of the matter, status quo as on today shall be maintained.

(P.T.O)

5. The Collector & District Magistrate, East Godavari District, Kakinada is requested to take necessary action in the matter accordingly and acknowledge the receipt of the case records, which are returned herewith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

KANTILAL DANDE
SECRETARY TO GOVERNMENT

To
The Collector & District Magistrate, East Godavari District, Kakinada (w.e)
The Additional Agent to Govt. cum Project Officer, ITDA, Rampachodavaram, East Godavari District.
The Special Deputy Collector (TW), Rampachodavaram, East Godavari District.
Sri Kola Satya Prasad, Advocate, Rampachodavaram (V&M), East Godavari District - 533288.
Smt Kasani Parvathi, W/o.Late Bathula Nookaraju, R/o.Rampachodavaram (V) & (M), East Godavari District.
Sri Bathula Soma Sekharao S/o.Nookaraju, R/o.Rampachodavaram (V&M), East Godavari District
Copy to:
The P.S. to Hon'ble Dy. Chief Minister (TW)
The P.S. to Secretary (TW)
Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER